

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
Plaintiff,) 8:05CR134
vs.) ORDER
SAM B. VACANTI,)
Defendant.)

This matter is before the court on October 13, 2006, following the arrest of defendant Sam B. Vacanti (Vacanti) on a bench warrant. The warrant was issued after Vacanti failed to appear for sentencing on May 11, 2006 (Filing No. 50). Previously, Vacanti had been placed on conditions of release with one of the conditions being Vacanti's appearance at all scheduled court proceedings (Filing No. 6).

On October 13, 2006, Vacanti appeared with his counsel, Anthony S. Troia. The United States was represented by Assistant U.S. Attorney Susan T. Lehr. Vacanti was advised of the violation of his conditions of release. The court took judicial notice of a Pretrial Services Violation Report which was provided to both counsel. Through counsel, Vacanti acknowledged there was no reason why Vacanti's conditions of release should not be revoked.

IT IS ORDERED:

1. The March 30, 2005 Order Setting Conditions of Release of Sam B. Vacanti (Filing No. 6) is hereby revoked.
2. The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 13th day of October, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge